

CITY OF LEWISTON

CITY COUNCIL

DECEMBER 2, 1997

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00 P.M.

THE HONORABLE JOHN T. JENKINS, MAYOR, PRESIDING.

PRESENT: Councilors Lynch, Kelly, Gray, Albert, Samson, Bilodeau, Putnam, City Administrator Robert J. Mulready, and City Clerk Gerald P. Berube.

Pledge of Allegiance to the Flag.

Moment of Silence.

The Mayor arrived late and Council President Kelly presided in his absence.

VOTE (1)

Motion by Councilor Samson, seconded by Councilor Kelly:

To dispense with the reading of the minutes of the meetings November 18, 1997, and to accept and place them on file as prepared by the Deputy City Clerk. Passed - Vote 6-0

CONTINUATION OF THE PUBLIC HEARING ON AN ORDINANCE PERTAINING TO FRONTAGE REQUIREMENTS

This is the continuation of the public hearing on the ordinance pertaining to Frontage, to allow existing lots of record to gain their frontage along a private mobile home park road.

Attorney Lynn Mistretta, representing Debra and Lloyd May, the petitioners who own a lot on Lessard Street and were denied a building permit, stated that her client should be able to use Lessard Street to access her property. She reviewed the history of Lessard Street and how it became a private mobile home park road. Attorney Mistretta further stated that the abutters are willing to pay their fair share of upgrading the road to street acceptance standards. She stated that the attempt to have all the abutters, who would benefit by having the street completed to street acceptance standards, pay their fair shares have been to no avail. She urged the Council to allow her client to utilize her lot on Lessard Street.

Attorney Brian Dench, representing Mr. Foss, who owns the mobile home park and is responsible for the maintenance of Lessard Street, reviewed the reasons that Lessard Street should be accepted prior to allowing development on the street. In answer to Mayor Jenkins, Mr.

Dench stated his client is willing to work with the abutters to get Lessard Street completed to street acceptance standards.

After a very lengthy discussion with all parties concerned the following action was taken.

VOTE (2)

Motion by Councilor Samson, seconded by Councilor Albert:

That the ordinance pertaining to Frontage, to allow existing lots of record to gain their frontage along a private mobile home park road has passage on first reading by a yea and nay vote, and that this public hearing on said ordinance be continued to the next regular meeting for final passage.

Failed - Vote 0-7

VOTE (3)

Motion by Councilor Kelly, seconded by Councilor Samson:

To accept the recommendation of the Planning Board and to deny the pet to amend the definition of Frontage in the Zoning and Land Use Code to allow existing lots of record to gain their frontage along a private mobile home park road.

Passed - Vote 7-0

VOTE (4)

Motion by Councilor Bilodeau, seconded by Councilor Albert:

That the following Order has passage:

ORDERED, That the Mayor and Finance Director are authorized to issue refunding bonds in a principal amount not to exceed \$3,700,000 in order to refund all or part of the principal of and interest on the Public Improvement Bonds of the City dated February 1, 1991, the aggregate outstanding principal amount of which is currently \$5,285,000, and to any redemption premium thereon and costs of issuance;

FURTHER ORDERED, That the City Council instruct the Mayor and Finance Director to advertise for bids for the Bonds; to award the loan; and to employ Palmer & Dodge to furnish the legal opinion for the same;

FURTHER ORDERED, That the bonds shall be signed by the City Treasurer and Mayor;

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FURTHER ORDERED, That the date, maturities, denominations, interest rate or rates, place or places of payment, form or other details of the bonds and of the provisions for the sale thereof shall be determined by the Mayor and Finance Director;

FURTHER ORDERED, That bonds issued hereunder may be subject to call for redemption on such terms as may be determined by the Mayor and Finance Director.
Passed - Vote 7-0

VOTE (5)

Motion by Councilor Bilodeau, seconded by Councilor Lynch:

To approve the Citizens Participation Plan and Planning Process Schedule for the FY1999 Community Development Program, as recommended by the Planning Board.
Passed - Vote 7-0

VOTE (6)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

That the following Order has passage:

ORDERED, That upon recommendation of the City Administrator this City Council hereby authorizes a transfer of \$22,515.88 in the Community Development Budget as follows:

FROM:

TO:

<u>ACCOUNT NO.</u>	<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>AMOUNT</u>
51318 5122002	\$ 658.70	51520 5154000	\$ 20,000.00
51318 5161004	93.20	51551 5199000	2,515.88
51419 5161001	5,852.10		\$ 22,515.88
51621 5121001	426.72		
51722 5121001	15.81		
51621 5123001	4,333.40		
51621 5123002	425.00		

FROM:

<u>ACCOUNT NO.</u>	<u>AMOUNT</u>
51722 5123002	1,700.00
51621 5125001	1,528.35
51722 5125004	1,500.00
51621 5126001	937.50
51621 5127003	4,364.61
51722 5127005	117.28
51722 5127009	66.83
51553 4011000	496.38

\$22,515.88
Passed - Vote 7-0

VOTE (7)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To authorize an additional position for the Maine Immunization Program for implementation of the Early Periodic Screening, Diagnosis, and Treatment (EPSDT) Program.
Passed - Vote 7-0

VOTE (8)

Motion by Councilor Kelly, seconded by Councilor Samson:

To ratify a one year Collective Bargaining Agreement between the City of Lewiston and the International Association of Firefighters, Local 785, said agreement being extended to the last pay period of June 1998, and to authorize the Mayor to sign said agreement on behalf of the City of Lewiston. Passed - Vote 7-0

The City Clerk advised members of the denial of City license to Donna Child to operate a family day care. He advised the Council that staff was working with Ms. Child to bring the home into compliance.

VOTE (9)

Motion by Council Gray, seconded by Councilor Samson:

To go into executive session to discuss economic development & negotiations.

Reconvened to open session.

VOTE (10)

Motion by Councilor Putnam, seconded by Councilor Gray:

To adjourn at 10:12 P.M. Passed - Vote 7-0

A true record, Attest:

Gerald P. Berube, CMC
City Clerk

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Lewiston, Maine